App. F. IX-4

Previous References.

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Later References.

Pl 44

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. One

Part B for Pols 42

SUBJECT.

Interviews and Communications with prisoners—

G.O. No. P. 5716 dated 22nd June 1942—

To.

The District Magistrate.

Passes orders on recommendation
150 of the Provincial Executive—
[illegible]

3857/24 Prisons Reforms – Interviews and Communica-tions with Prisoners.

General and Revenue Secretariat | File No. | of 194 | [App. F. III—2

REV. SECRETARIAT
Prisons
13. JAN 1942
NOTE

Serial No.

Interviews and communications with prisoners are regulated by the provisions of Chapter XXVII ~~of the~~ (Rules 392 to 404) and rules 314, 316, 317 and 322 of the Jail Manual.

According to these rules a prisoner undergoing simple imprisonment can have interviews at intervals of three months. In the case of other prisoners, the interval depends upon whether the prisoner comes under the remissions system or not. If he ~~does not~~ comes under that system, he is allowed to have one interview and to write and receive one letter when he has served six months of his term of imprisonment and subsequently at intervals of not less than four months. Prisoners coming under the remissions system are eligible for slightly enhanced privileges, which are regulated by the class or grade attained by the ~~he~~ prisoner and are as follows —

(1) III class (those who have commenced to earn remission) — one letter and one interview every six months.

(2) II class (those who have earned as remission of 25 days) — one letter and one interview every four months.

(3) I class (those who have earned a remission of

Serial No.

40 days) — one letter and one interview every three months).

(4) Convict Night watchman — Same as I class prisoners.

(5) Convict overseers — One letter and one interview every two months

(6) Convict warders — one letters and ones interview ~~every~~ once a month.

This system which is somewhat complex is on all fours with ~~to~~ that which prevailed in British India more than two and a half decades ago, our rules being identical with the old Madras rules (Madras Jail Manual 1915 Edition) the British Indian system was subsequently reformed and liberalised in the direction of allowing more frequent interviews, but Mysore has not followed in the wake of British Indian Reforms. The distinction between prisoners undergoing simple imprisonment and those coming under the remission system and those not so coming, has been done away with in the ~~Presidencies~~, Provinces, and all prisoners (others than those who by reason of their social status and the nature of the offences committed by them are classed as A or B class prisoners) are placed on an equal footing so far as interviews and communications are concerned and conceded the privilege of having interviews at shorter intervals than under

385/41/P Prison Reforms – Interviews and Communica-tions with Prisoners.

REV. SECRETARIAT
Prisons
13. JAN. 1942
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General and Revenue Secretariat | File No. | of 194 | [App. F, III–2

Serial No.

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(3) I class (those who have earned remissions o

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the old system. Thus in Madras the interval is fixed at three months while in Bengal it is two months Convict officers however still continue to enjoy enhanced privileges.

The Prisons Reforms Committee regard the maintenance of as close touch between a prisoner and his family and friends as a beneficial measure of no small importance having a reformative effect on the prisoner they observe that progress in this respect should undoubtedly be in the direction of encouraging rather than restricting such humanising influences and that the rules should be made as liberal as possible In the opinion of the Committee the scale now prescribed for ordinary prisoners is insufficient and they recommend that apart from an exercise of the Superintendent's discretion and irrespective of remissions gained, every well behaved prisoner should be permitted as of course to have interviews once a month and receive letters at intervals of a fortnight. The Committee opine that this will equalise the privileges of all classes of prisoners in this respect (Paras 40, 41 and 42 of Chapter VI).

It is to be noted that the Committee

Serial No.

ceed as step further than the system in British India. While in British India the interval between both interviews and letters is fixed at three months in some provinces and at two months in others, the Committee propose to fix the intervals between interviews at one month and as still shorter period of a fortnight in the case of letters.

The G. G. of Prisoners has not made any specific suggestions on this matter, but states simply that the existing rules may be revised and that the restrictions regarding the receiving of letters may be removed. He has not made any recommendations as to the acceptance by Govt or otherwise of the intervals suggested by the Committee.

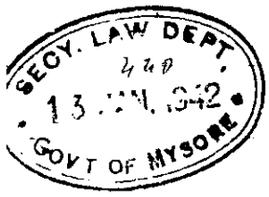
Having regard however to the fact that interviews and letters, which by bringing the prisoners into contact with those ~~whom they~~ who are near and dear to them, serve as a humanising factor with a reformative effect, the recommendations of the Committee may perhaps be accepted. It ~~will~~ simplifies the whole procedure by doing away with the somewhat complex gradations of prisoners for purposes of interviews, and places all prisoners

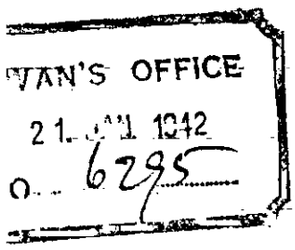
Reforms Committee's Recommendations

General and Revenue Secretariat | File No. | of 194 . | [App. E. III—2

Serial No.

VAN.
7410.





on an equal footing. As pointed out by the Committee it will equalise the privileges of all classes of prisoners.

Submitted for orders.
MKV
13/1/42

Law Secy.)
The Committee's recommendation may be approved.

Minister for Law.)

Hm
2
19.1.42
MKV 19/1/42

The committee's recommendation may be approved, but only a minimum interval of two months as in Bengal.

Dewan)

Hm
2
26.1.42
MKV 29/1/42

Draft G.O is submitted for appl.

Please put up typed draft as revd
MKV
29/1/42

Typed draft put up for approval.

As a result of the acceptance of the Committee's recommendations which places all prisoners on an equals

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Prison Reforms : Interviews and Communications with prisoners.

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OFFICE OF THE MINISTER FOR LAW
JUN 17 1942
No. 12711

footing, certain sentences and words in Rule 314 fixing varying periods of interval according to the rank attained by the prisoners and Rules 395 and 396 which differentiate between prisoners undergoing ~~imp~~ simple imprisonment and those coming under the remission for purposes of interview have to be deleted This is provided for in the draft.

JNW 26/5

Law Secy.)
Law Minister)

16/6
JNW 16/6

17/6

16/6
Same
JNW 16/6

SECY. LAW DEPT. 28 MAY 1942 GOVT OF MYSORE

To cir 396 after sanction

No. P. 5716 dt 22-6-42

Sanction cir amendments to Rules 314, 395 & 396 of the Jail Manual.

10.

B.
3/7/42

G. R. S. App. F VI—G 2]

SUBJECT .....

....

....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *194* .

Date of issue 22/6/ 1942

Signed by Mr. M.K.V

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Section Pri 1

File No. 62-44

Serial No. 10

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Recommendation No.150 of the Prison Reforms Committee regarding the liberalisation of the rules on the subject of interviews and communicatior with prisoners and the views of the Inspector General of Prisons thereon.

Order thereon—No. P S716.

Dated Bangalore 22nd June ~~May~~ 194:

According to the rules now in force a non-remission prisoner is allo to have one interview and to write and receive one letter, after the first six months of his term, and thereafter at intervals of four months or more as

may be fixed by the Superintendent)
and those who come under the remission
rules are eligible, according to their
class or grade, for slightly enhanced
privileges. The Prison Reforms Commit-
tee are of opinion that the scale now
prescribed for ordinary prisoners is
insufficient. They recommend there-
fore that apart from any exercise of
the Superintendent's discretion and
irrespective of remissions granted,
every well-behaved prisoner should be
permitted as of course to have inter-
views once a month and to write and receive
letters at intervals of a fortnight.
The Inspector General of Prisons suggests
that the existing rules may be revised
and the restrictions regarding the
receiving of letters may be removed.

Having regard to the fact that
the maintenance of a close touch between
a prisoner and his family and his friends
by means of interviews and letters serves
as a beneficial measure having a reforma-

List c

Copied by

Examined by

may be fixed by the Superintendent, and those who come under the remission rules are eligible, according to their class or grade, for slightly enhanced privileges. The Prison Reforms Committee are of opinion that the scale now prescribed for ordinary prisoners is insufficient. They recommend therefore that apart from any exercise of the Superintendent's discretion and irrespective of remissions granted, every well-behaved prisoner should be permitted as of course to have interviews once a month and to write and receive letters at intervals of a fortnight. The Inspector General of Prisons suggests that the existing rules may be revised and the restrictions regarding the receiving of letters may be removed.

Having regard to the fact that the maintenance of a close touch between a prisoner and his family and his friends by means of interviews and letters serves as a beneficial measure having a reforma-

List of Enclosures

Copied by

Examined by

WD 087—GPB—40,000—14-11-40

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

reformative effect on the prisoner, Government are pleased to approve the Committee's recommendation, but with a minimum interval of two months. They accordingly direct that the following amendments be made in the Jail Manual :-

(1) In Sub-rule (1) of Rule 314 -

(a) the sentence "They shall, if their conduct is good, be entitled to write and receive one letter and have one interview with friends or relatives every six months" occurring in para (2 and

(b) the words "and be allowed to write and receive one letter and have one interview every four months" occurring in para (3): and

(c) the words " and be allowed to write and receive one letter and have o interview every three months, "occurrin in para (4) shall be deleted and a full stop inserted after the words "per mensem" in paras (3) and (4).

(2) Rules 395 and 396 shall be delete

3) The following shall be substituted or Rule 397 :-

" In addition to the privileges eferred to above, every prisoner shall e allowed to have an interview with his elatives or friends and to write and eceive a letter once in two months uring the term of his imprisonment, rovided that the exercise of this rivilege shall be contingent on good onduct and may be withdrawn or post-oned by the Superintendent for bad onduct.

Note (i) - A letter merely arranging n interview shall not be counted as a etter for the purposes of this rule.

Note (ii)- A prisoner may, with the ermission of the Superintendent, substi-ute a letter with reply for an interview; r vice versa."

16.6

Secretary to Government,
Law Department.

The Inspector General of Prisons.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

e a d:

Recommendation No. 150 of the Prison Reforms Committee regarding the liberalisation of the rules on the subject of interviews and communications with prisoners and the views of the Inspector-General of Prisons thereon.

ORDER NO. P 5716/Pris. 62-41-10,

DATED, BANGALORE, THE 22ND JUNE 1942.

According to the rules now in force, a non-remission prisoner is allowed to have one interview and to write and receive one letter, after the first six months of his term, and thereafter at intervals of four months or more as may be fixed by the Superintendent, and those who come under the remission rules are eligible, according to their class or grade, for slightly enhanced privileges in this matter. The Prison Reforms Committee are of opinion that the scale now prescribed for ordinary prisoners is insufficient. They recommend that apart from any exercise of the Superintendent's discretion and irrespective of remissions granted, every well-behaved prisoner should be permitted as of course to have interviews once a month and to write and receive letters at intervals of a fortnight. The Inspector-General of Prisons suggests that the existing rules may be revised and the restrictions regarding the receiving of letters may be removed.

Having regard to the fact that the maintenance of a close touch between a prisoner and his family and his friends by means of interviews and letters serves as a beneficial measure having a reformative effect on the prisoner, Government are pleased to approve of the Committee's recommendation, but with a minimum interval of two months in respect of interviews as well as the writing or receipt of letters. They accordingly direct that the following amendments be made in the Jail Manual:--

(1) In Sub-rule (1) of Rule 314 --

(a) the sentence "They shall, if their conduct is good, be entitled to write and receive one letter and have one interview with friends or relatives every six months" occurring in para (2) and

(b) the words "and be allowed to write and receive one letter and have one interview every four months" occurring in para (3); and

(c) the words "and be allowed to write and receive one letter and have one interview every three months", occurring in para (4)

shall be deleted and a fullstop inserted after the words "per mensem" in paras (3) and (4) .

(2) Rules 395 and 396 shall be deleted.

(3) The following shall be substituted for Rule 397:--

"In addition to the privileges referred to above, every prisoner shall be allowed to have an interview with his relatives or friends and to write and receive a letter once in two months during the term of his imprisonment, provided that the exercise of this privilege shall be contingent on good conduct and may be withdrawn or postponed by the Superintendent for bad conduct

Note (ii) -- A prisoner may, with the permission of the S
intendent, substitute a letter with reply for an intervie
vice versa."

Sd/- A. Sundararaja R
Secretary to Governme
Law Department.

To

The Inspector-General of Prisons in Mysore.

"Copy".

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS.

G. O No. P. 5716—Pris. 62-41-10, dated 22nd June 1942.

Recommendation No. 150.

Approves—*re* liberalisation of the rules on the subject of interviews and communications with prisoners.

AD—

Recommendation No. 150 of the Prison Reforms Committee, regarding the liberalisation of the les on the subject of interviews and communications with prisoners and the views of the Inspector-neral of Prisons thereon.

ORDER NO. P. 5716—PRIS. 62-41-10, DATED BANGALORE, THE 22ND JUNE 1942.

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Note (i)—A letter merely arranging an interview shall not be counted as a letter for the purposes of this rule.

Note (*ii*).—A prisoner may, with the permission of the Superintendent, substitute a letter with

A. SUNDARARAJA RAO,
Secretary to Government,
Law Department.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS

G. O No. P. 5716—Pris. 62-41-10, dated 22nd June 1942.

Recommendation No. 150.

Approves—*re* liberalisation of the rules on the subject of communications with prisoners.

READ—

Recommendation No. 150 of the Prison Reforms Committee, regarding the liberalisation of the rules on the subject of interviews and communications with prisoners and the views of the Inspector-General of Prisons thereon.

ORDER No. P. 5716—PRIS. 62-41-10, DATED BANGALORE, THE 22ND JUNE 1942.

According to the rules now in force, a non-remission prisoner is allowed to have one interview and to write and receive one letter, after the first six months of his term, and thereafter at intervals of four months or more as may be fixed by the Superintendent, and those who come under the remission rules are eligible, according to their class or grade, for slightly enhanced privileges in this matter. The Prison Reforms Committee are of opinion that the scale now prescribed for ordinary prisoners is insufficient. They recommend that apart from any exercise of the Superintendent's discretion and irrespective of remissions granted, every well-behaved prisoner should be permitted as of course to have interviews once a month and to write and receive letters at intervals of a fortnight. The Inspector-General of Prisons suggests that the existing rules may be revised and the restrictions regarding the receiving of letters may be removed.

Having regard to the fact that the maintenance of a close touch between a prisoner and his family and his friends by means of interviews and letters serves as a beneficial measure having a reformative effect on the prisoner, Government are pleased to approve of the Committee's recommendation, but with a minimum interval of two months in respect of interviews as well as the writing or receipt of letters. They accordingly direct that the following amendments be made in the Jail Manual :—

(1) In sub-rule (1) of rule 314—

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(*b*) the words "and be allowed to write and receive one letter and have one interview every four months" occurring in para (3); and

(*c*) the words "and be allowed to write and receive one letter and have one interview every three months" occurring in para (4) shall be deleted and a full-stop inserted after the words "per mensem" in paras (3) and (4).

(2) Rules 395 and 396 shall be deleted.

(3) The following shall be substituted for Rule 397 :—

"In addition to the privileges referred to above, every prisoner shall be allowed to have an interview with his relatives or friends and to write and receive a letter once in two months during the term of his imprisonment, provided that the exercise of this privilege shall be contingent on good conduct and may be withdrawn or postponed by the Superintendent for bad conduct.

Note (i)—A letter merely arranging an interview shall not be counted as a letter for the purposes of this rule.

Note (*ii*).—A prisoner may, with the permission of the Superintendent, substitute a letter with reply for an interview, or *vice versa*."

A. SUNDARARAJA RAO,
Secretary to Government,
Law Department.

To—The Inspector-General of Prisons in Mysore.

Exd.—R. G. S.